

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/829,529	HOYTE ET AL.	
	Examiner	Art Unit	
	RYAN A. JARRETT	2121	

All Participants:

(1) RYAN A. JARRETT.

(2) Robert Reeser.

Date of Interview: 10 November 2009

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

Potential 35 U.S.C. 101 rejection of claim 1

Claims discussed:

1

Prior art documents discussed:

none

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: 71

(3) _____

(4) _____

Time: 4:00 PM

/Ryan A. Jarrett/
Primary Examiner, Art Unit 2121

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner stated that claim 1 would have to be rejected under 35 U.S.C. 101 unless the two parties could agree on a suitable amendment. This is because method claim 1 did not include any significant, explicit recitation of a machine in the claim. Applicant agreed to let Examiner amend claim 1 to recite that the "determining" step is done using a computer in order to avert a 101 rejection. Applicant also agreed to let Examiner cancel the claims non-elected with traverse so that the case could pass to issue..